

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT LEE ALLEN,	:	CIVIL ACTION NO. 1:06-CV-0247
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
THE PENNSYLVANIA SOCIETY FOR	:	
THE PREVENTION OF CRUELTY TO	:	
ANIMALS, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 13th day of February, 2008, upon consideration of defendants' motions to dismiss (Docs. 100, 101), plaintiff's third amended complaint (Doc. 86), as well as the parties' respective legal memoranda, and in light of the court's memorandum and order of May 14, 2007 (Doc. 84) which disposed of numerous arguments regarding the sufficiency of the first amended complaint, and in light of the court's telephone conference with counsel of record held on June 15, 2007 and the court's order of June 15, 2007 (Doc. 95) permitting plaintiff to file a third amended complaint in strict compliance with the memorandum and order of May 14, 2007, it is hereby ORDERED that the motions to dismiss (Docs. 100, 101) are DENIED, without prejudice to the parties' rights to seek summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure in accordance with the schedule set forth in the court's order of January 4, 2008 (Doc. 124).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge